

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following remarks is respectfully requested.

Claims 1-9 are pending in this application. By this amendment, Claims 1-3 are amended; Claims 4-9 are added; and no claims are canceled herewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Final Office Action, Claims 1-2 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,453,124 to Morimoto (herein “Morimoto”) in view of U.S. Patent No. 6,593,970 B1 to Serizawa (herein Serizawa); and Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Morimoto in view of U.S. Patent No. 6,614,474 B1 to Malkin (herein “Malkin”).

With respect to the rejections under 35 U.S.C. §103(a) based on Morimoto, Serizawa and Malkin, those rejections are respectfully traversed.

The applied art does not teach or suggest a digital camera having a first focusing system of obtaining a focusing position by sampling a contrast of an object image formed on a light receiving surface with moving a focus lens, and a second focusing system of obtaining the focusing position by measuring a distance to an object with the range finding sensor based on a triangular surveying system without using the focus lens as recited in Claim 1 and similarly recited in Claims 2 and 3. According to the features of the claimed invention, when the focusing is performed using a range finding sensor, i.e., the second focusing system is conducted, the focusing is conducted without using a focus lens which is used for conducting the first focusing system. The features of the claimed invention are shown in Figure 1 for example.

The applied art of Morimoto does not discuss a second focusing system operating independently of the focus lens. Instead, Morimoto discusses a distance measuring sensor 15

being used as a distance measuring sensor for in a single-lens reflex digital camera. A same lens portion 4 is used for both the first and second focusing system as clearly illustrated in Figure 1 of Morimoto. The single lens auto-focus device of Morimoto is different than the multi-lens focus device of one or more embodiments of the present application. Please see the discussion regarding the design problem solved as described on page 2, lines 3-11. See also the discussion regarding the second focusing system on page 5, lines 14-19 and page 5, line 24 to page 6, line 1. For example, the difference between Morimoto and the claimed features would be particularly pronounced when comparing the focusing accuracy of a telephoto lens used with the CCD-AF compared to a wide angle lens used with the CCD-AF. That is, the focusing accuracy difference between the two lenses would not be evident in the single lens design of Morimoto. Thus, Morimoto is concerned merely with single-lens camera applications in contrast to the multi-lens focusing systems of examples of the present application.

Moreover, both Serizawa and Malkin teach away from multi-lens focus systems. Serizawa discusses receiving an optical image and generating a first video signal and a second video signal with a second exposure interval substantially at the same time from presumably the same lens (see col. 2, lines 33-40). Malkin also discusses a single lens (see Fig 9). Accordingly, it would not have been obvious to one of ordinary skill in the art to combine the edge enhancement processing device of Serizawa or Malkin with the single-lens digital camera of Morimoto, with a purpose of improving a resolution of an image when focusing is conducted by using a range finding sensor.

Further, Office Action asserts on page 3, lines 7-10 that Morimoto discusses a selection device configured to select that either or both of the first and second focusing systems are operative. Applicant disagrees. Instead, Morimoto discusses in Figure 7 the ability to choose various “focus-lens positions for best focus” which indicates that all focus

systems are operative without an ability to select to enable or disable the operative status of the systems (see Figure 7, S14).

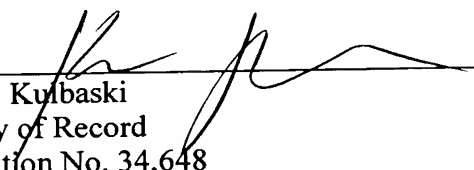
Accordingly, withdrawal of the rejections of the claims under 35 U.S.C. § 103(a) based on Morimoto, Serizawa and Malkin are respectfully requested.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

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